

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TYRRAN SMITH and TATRA
BRADSHAW individually and as
administrators of the ESTATE OF DENISE
BRADSHAW,

Plaintiffs,

v.

NELI SERAFIMOVA, M.D., WESLEY
EMMONS, M.D., JOHN D'AMBROSIO,
D.O., MICHAEL VAN WINKLE, D.O., and
ST. FRANCIS HOSPITAL, INC.,

Defendants.

Civil Action No. 21-1451-RGA

ORDER TO SHOW CAUSE

WHEREAS, Defendants filed Notices of Removal of this action beginning on October 14, 2021 (D.I. 1, 3, 4, 13, 20);

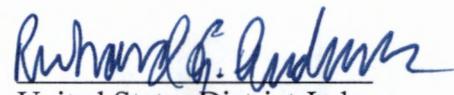
WHEREAS, Plaintiffs cite to a similar case from the District of New Jersey that was affirmed on appeal, suggesting that in the present case this Court lacks subject matter jurisdiction (D.I. 16 at 11 n.23 (citing *Est. of Maglioli v. Andover Subacute Rehab. Ctr. I*, 478 F. Supp. 3d 518, 522 (D.N.J. 2020), *aff'd sub nom. Maglioli v. All. HC Holdings LLC*, 16 F.4th 393 (3d Cir. 2021)));

WHEREAS, Chief Judge Connolly recently remanded a similar case for lack of subject matter jurisdiction (*see Hansen v. Brandywine Nursing & Rehab. Ctr., Inc.*, No. CV 21-649-CFC, 2022 WL 608968 (D. Del. Jan. 19, 2022));

WHEREAS, considering that Plaintiffs did not move to remand, Defendants request to brief the issue of whether this Court has subject matter jurisdiction (D.I. 17 at 7);

NOW THEREFORE, Defendants are requested to submit a letter within two weeks of the date of this order explaining why this case should not be remanded. Plaintiffs are requested to respond to Defendants' letter within one week of its receipt.

IT IS SO ORDERED this 19th day of August 2022.



United States District Judge